



**NEW YORK CITY MARSHAL**  
**Stephen W. Biegel**

109 West 38th Street, Suite 200 · New York, NY 10018

Phone: (212) MARSHAL (627-7425) · Fax: (212) 398-2000

NYC@MarshalBiegel.com · www.NewYorkCityMarshal.com  
February 4, 2015

ANDRYA BIBBS  
100 WASHINGTON ST  
APT 4T  
HEMPSTEAD NY 11550

JUDGMENT CREDITOR  
S&H CLINTON ASSOCIATES LLC

VS

ANDRYA BIBBS  
JUDGMENT DEBTOR

**NOTICE OF GARNISHMENT**

Please take notice that a judgment has been entered against the above named judgment debtor. Pursuant to the **INCOME EXECUTION** delivered to me, you are required to have your first payment in my office within 20 days from the above date. Payments must be 10% of your gross wages payable on each payday and must be accompanied by your most recent paystub. Upon your default, a copy of this execution will be served upon any person (corporation, etc.) from whom you are receiving or will receive money and will result in additional costs to you.

JUDGMENT .....	\$4,438.10
STATUTORY MARSHAL FEES.....	\$0.00
POUNDAGE .....	\$233.89
EXPENSES.....	\$7.45
INTEREST .....	\$232.40
<b>TOTAL.....</b>	<b>\$4,911.84</b>

**IN ADDITION, INTEREST FROM 02/04/15 will be calculated on a daily basis. You will be notified of the final balance due when your payments approach completion.**

ALL PAYMENTS SHOULD BE MARKED  
WITH YOUR NAME AND THIS DOCKET NUMBER:

G8785

payable to:

MARSHAL STEPHEN W. BIEGEL

(FSTSRVSL)

To: HORING, WELIKSON & ROSEN,  
11 HILLSIDE AVE  
WILLISTON PARK, NY 11596-

153351- 1

Index Date: 06/25/2014

Index No. : LT3408-14

File No. 668490

FIRST DISTRICT COURT  
COUNTY OF NASSAU

Court Date: 07/07/2014

S & H CLINTON ASSOCIATES LLC  
against ANDRYA BIBBS

plaintiff(s)

defendant(s)

## AFFIDAVIT OF SERVICE

State of New York, County of Nassau

SS.:

ROBERT PELTZ being duly sworn, deposes and says that deponent is not a party to this action, is over 18 years of age and resides at NASSAU COUNTY, N.Y..

That on June 30, 2014 at 08:25 AM at 100 WASHINGTON ST, APT 4T, HEMPSTEAD, NY 11550 deponent served the within PETITION AND NOTICE OF PETITION

In this action on : ANDRYA BIBBS defendant(s) therein named.

By affixing a true copy of each to the door of said premises which is defendant's dwelling house within the state. Deponent was unable, with due diligence, to find defendant(s) or a person of suitable age and discretion, thereat, having gone there,

on 06/26/2014 at 06:50 PM

on 06/27/2014 at 07:20 AM

on 06/30/2014 at 08:25 AM.

Deponent deposited in the United States mail another true copy or copies of same properly enclosed and sealed in a post paid wrapper addressed to the said defendant(s) at the aforementioned address last known residence. mailed under regular and certified mail #:70140510000002773869 07/01/2014.

I asked the person spoken to MR BENNY, SECURITY GUARD whether the defendant(s) was/were in active military service of the United States in any capacity whatever and received a negative reply.

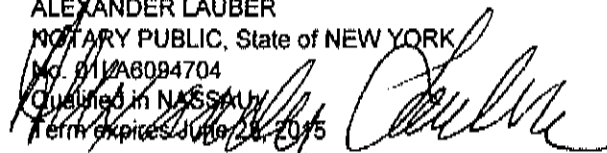
2014 JUL -1 PM 4:31  
JUL 1 2014  
CLERK OF COURT  
COUNTY OF NASSAU



ROBERT PELTZ  
License No.728272

Sworn before me this 1st day of July, 2014

ALEXANDER LAUBER  
NOTARY PUBLIC, State of NEW YORK  
No. 0112A6094704  
Qualified in NASSAU  
Term expires June 28, 2015



**CASE SUMMARY**

Court: Nassau County District Court - 1st District  
 Index Number: LT-003408-14/NA Petitioner(s): S & H Clinton Associates LLC

Case Type: Landlord and Tenant  
 Filed Date: 06/25/2014 vs.  
 Classification: Non-Payment Respondent(s): Andrya Bibbs  
 Status: Post Disposition

Disposed Date: 07/07/2014  
 Disposed Reason: Settled Stip in File

Cause(s) of Action: Non-Payment in the amount of \$3,263.10

Property Address(es): 100 Washington Street, Apt 4T, Hempstead, NY 11550-

(P) S & H Clinton Associates LLC  
 Horing, Welikson & Rosen PC - 11 Hillside Avenue, Williston Park, NY 11596, (516) 535-1700 ext:

(R) Andrya Bibbs - 100 Washington Street, Apt 4T, Hempstead, NY 11550

**PAPERS RECORDED**

06/25/2014 Petition by Attorney, Filed By: (P) S & H Clinton Associates LLC  
 02/17/2015 Motion (Order to Show Cause), Seq 1, Filed By: (R) Andrya Bibbs, Relief: Vacate, Status: Filed

**APPEARANCE ACTIVITY**

07/07/2014 Landlord/Tenant, Judge: Eric Bjorneby, Purpose: Hearing, Outcome(s): Settled Stip in File

This report reflects information recorded as of 02/17/2015 01:00 PM. Users should verify the accuracy of information by consulting original court records or source. The Unified Case System is not responsible for any discrepancies between this report and the original court records.

Index No. \_\_\_\_\_  
 Before \_\_\_\_\_ Justice

S & H CLINTON ASSOCIATES LLC  
 -against- Petitioner(s)-Landlord(s)  
 ANDRYA BIBBS Respondent -Tenant

-address-  
 100 WASHINGTON ST.  
 APT. # 4T  
 HEMPSTEAD, NY 11550

### Notice of Petition - Non Payment

Rent \$3,263.10 Returnable  
 the 7th day of July 20 14  
 at 09:30 A.M.

The Petitioner appears on 2014...  
 and demands the rent and possession of the  
 premises within mentioned for the non-payment  
 of the rent  
 The Respondent Tenant appears

Decision is therefore rendered the .....  
 day of ..... 2014..... in favor of  
 Petitioner Landlord and I hereby award to Landlord  
 Petitioner the delivery of the .....

possession of the premises within described, by  
 reason of the non-payment of the said rent; and I  
 hereby order that a warrant issue to remove the  
 said Tenant and all persons from the said premises,  
 and put the Petitioner-Landlord into full  
 possession thereof and I hereby award to the  
 Petitioner Landlord costs of this proceeding.

Justice  
 Warrant issued .....day of.....2014  
 Justice

DISTRICT COURT OF STATE OF NEW YORK  
 COUNTY OF NASSAU - FIRST DISTRICT

S & H CLINTON ASSOCIATES LLC  
 -against- Petitioner(s)-Landlord(s)  
 ANDRYA BIBBS Respondent -Tenant

-address-  
 100 WASHINGTON ST.  
 APT. # 4T  
 HEMPSTEAD, NY 11550

First Name of Tenant and/or Undertenant being fictitious and unknown to petitioner.  
 Person intended being in possession of the premises herein described

To the respondent(s) above named and described, in possession of the premises hereinafter described or claiming  
 possession thereof:

100 WASHINGTON ST. , APT: 4T  
 HEMPSTEAD, NY 11550

TAKE NOTICE that a hearing on the annexed petition will be held on the 7 day of July 2014 at 09:30 in the forenoon before the  
 above named court at 99 MAIN STREET HEMPSTEAD, NY 11550

TAKE FURTHER NOTICE that at the above time and place you may answer the petition either orally or in writing.

Petitioner-Landlord  
 S & H CLINTON ASSOCIATES LLC

Landlord's Address  
 P O BOX 68, UNIONDALE, NY 11553

TAKE FURTHER NOTICE that demand is made in the petition herein for judgment against you, the respondent tenant, for rent due  
 in the sum of \$3,263.10.  
 TAKE FURTHER NOTICE that if you fail to interpose and establish any defense that you may have to the allegations of the  
 petition, you may be precluded from asserting such defense of the claim on which it is based in any proceeding or action.

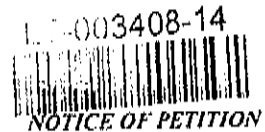
Dated: June 23, 2014

NILES WELIKSON

11 HILLSIDE AVENUE  
 WILLISTON PARK, NY 11596  
 Phone: (516) 535-1700

2399 -100W-4T

File No. 668490



TO RECOVER  
 REAL PROPERTY  
 Non-Payment

2014 JUN 23 2:38  
 CLERK OF DISTRICT COURT

THE PETITION OF S & H CLINTON ASSOCIATES LLC alleges upon Information and Belief

1. Petitioner(s) is(are) the landlord(s) and owner of the premises.  
 2. Respondent(s) ANDRYA BIBBS, is(are) tenant(s) in possession of said premises pursuant to a(n) WRITTEN lease agreement made heretofore wherein respondents promised to pay to landlord or landlord(s) predecessor as rent \$2,013.13 each month in advance on the 1ST day of each month.

3. Respondent(s) are now in possession of said premises. Said premises are the residence of the tenant(s) and the undertenant(s) herein.  
 4. The premises for which removal is sought were rented for dwelling purposes and are described as follows: All Rooms, Apartment # 4T in the building known as 100 Washington St., Hempstead, NY 11550, situated within the territorial jurisdiction of this Court..

5. Pursuant to said agreement there was due from respondent tenant(s), the sum of \$3,263.10 in rent and additional rent as follows:

JUN 14 PREFERENTIAL RENT	\$1,175.00	LEGAL FEES	\$250.00
MAY 14 PREFERENTIAL RENT	\$1,175.00	LATE FEES	\$50.00
APR 14 BALANCE	\$613.10		

6. SAID PREMISES ARE NOT SUBJECT TO RENT CONTROL THE PREMISES ARE SUBJECT TO THE ETPA OF 1974 AND THE RENT DEMANDED IS NOT GREATER THAN THE MAXIMUM RENT ALLOWED THEREUNDER.

7. Said rent has been demanded personally from the tenant(s) since same became due.

8. Respondent(s) have defaulted in the payment thereof and continue in possession of premises without permission after said default. WHEREFORE Petitioner requests a final judgment against respondent(s) for the rent demanded therein, awarding possession of the premises to the petitioner landlord, and direction the issuance of a warrant to remove respondent(s) from possession of the premises together with the costs and disbursements of this proceeding.

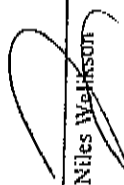
Dated: June 23, 2014 S & H CLINTON ASSOCIATES LLC,

STATE OF NEW YORK, COUNTY OF NASSAU. The Undersigned affirms under penalty of perjury that he is one of the Attorneys for the Petitioner, that he has read the foregoing petition and knows the contents thereof; that the same are true to his own knowledge except as to matters stated to be upon information and belief; and as to those matters he believes them to be true.

The grounds of his belief as to matters not stated upon his knowledge are statements and/or records provided by the petitioner, its agents and/or employees and contained in the file in the attorney's office

This verification is made pursuant to the provisions of RPAPL 741.

*Attorney for Petitioner*  
 HORING WELIKSON & ROSEN, P.C.  
 ATTORNEYS AT LAW  
 11 HILLSIDE AVENUE  
 WILLISTON PARK, NY 11596  
 PHONE: (516) 535-1700

  
 Niles Welikson

NEW YORK  
 DISTRICT

ES LLC

er(s)-Landlord(s)

pondent-Tenant

INGTON ST.

HEMPSTEAD, NY 11550

Amount Claimed: \$3,263.10

2399 -100W-4T

FILE NO: 668490

PETITION NON-PAYMENT

#18

Index No. 3408, 20 14

DISTRICT COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU  
HEMPSTEAD PART

S3H Clinton ASSOCs LLC  
Petitioner-Landlord

Hon. Bjornelsy

-against-

Andya Bibbs  
Respondent-Tenant

Dated: 7/7/14

IT IS HEREBY STIPULATED, AGREED AND CONSENTED TO by and between the parties herein as follows:

1. The petition is hereby amended to include all rent through 7/31/14 and petitioner shall have a final judgment for all of the abovementioned rent in the sum of \$ 4438-10.

2. Issuance of the warrant of eviction shall be forthwith with execution thereof stayed to and until AUGUST 30, 20 14 conditioned upon Respondent's payment of arrears as follows:

\$ 1000.00 by 7/15/14; \$ 1000.00 by 8/1/14;  
\$ 1000.00 by 8/15/14; \$ 1438-10 by 8/30/14

3. All of the above payments shall be in addition to the current monthly rent and additional rent, if any, which must be paid as the same becomes due and all payments made by the Respondent shall be applied to current rent and additional rent, if any, first with the balance, if any, applied to arrears.

4. Upon completion of all payments required by this stipulation the Warrant and Judgment shall be vacated.

5. Upon default in the making of any of the payments required herein Warrant may execute.

[Signature]  
HORNG WELIKSON & ROSEN, P.C.  
Attorney for Petitioner

[Signature]  
Tenant-Respondent

NOTE: TYPE OR PRINT NEATLY  
IN BLACK INK ONLY

DISTRICT COURT OF NASSAU COUNTY  
DISTRICT, CIVIL PART

*S/H Clinton*

Plaintiff(s)

-against-

At a Civil Motion Part of the  
District Court of Nassau County  
99 Main St. Hempstead, NY on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2015

INDEX NO: *SP3408/14*

ORDER TO  
SHOW CAUSE

*Andres Bitty*

Defendant(s)

Upon the annexed affidavit of *Febin* sworn to on the  
*17th* day of \_\_\_\_\_, 2015.

LET the plaintiff/plaintiff's attorney SHOW CAUSE before one of the Judges of this Court, at a Civil Motion Part \_\_\_\_\_, to be held at the District Court located at 99 Main Street, Hempstead, NY 11550, in the County of Nassau, State of New York, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 at 9:30 a.m., or as soon thereafter as counsel can be heard, WHY an order should not be made vacating and setting aside the judgment entered herein in favor of the plaintiff and against the defendant(s) and dismissing the complaint or, in the alternative permitting this action to proceed on the merits upon the grounds set forth in the annexed affidavit and why such other and further relief should not be granted as may be just and proper.

ORDERED that pending the hearing and determination of this motion, let all proceedings on the part of the plaintiff/plaintiff's attorney and agents and any Sheriff of Nassau County or other enforcement officer for the enforcement of said judgment be stayed.

\*\*\*Personal appearance of all parties or their counsel on the above date is required\*\*\*

SUFFICIENT CAUSE THEREFOR APPEARING, LET service of a copy of this order, together with the affidavit and any exhibits annexed hereto on the plaintiff/plaintiff's attorney (atty name & address)

*Harris Caplan & Rosen PC*  
*14 Fildor Ave Williston DE NY 11596*  
by personal service/personal delivery; certified mail/return receipt requested; overnight delivery service, on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2015, and upon the Nassau County Sheriff's Department at 240 Old Country Road, Mineola, NY by personal delivery on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2015, be deemed sufficient. Proof of service of a copy of this order and its accompanying affidavits and exhibits must be filed with the Clerk of the Court before the above scheduled return date of this order to show cause.

DATED: \_\_\_\_\_

ENTER: \_\_\_\_\_  
JUDGE OF DISTRICT COURT

DISTRICT COURT  
OF NASSAU COUNTY  
2015 FEB 17 AM 11:02  
FILED DISTRICT CLERK



DISTRICT COURT OF NASSAU COUNTY  
DISTRICT, CIVIL PARTINDEX NO: 503408/17

Plaintiff(s)

AFFIDAVIT

-against-

Defendant(s)

STATE OF NEW YORK, COUNTY OF NASSAU SS:

Andra Bibbs, being duly sworn, deposes and says:  
(Print name)

1. I am the defendant in this action and reside at: 267 Lincoln Avenue  
Roswell NY 11570
2. I am familiar with the facts and circumstances of this case: YES ☒ NO ☐  
If no, explain: \_\_\_\_\_
3. My excuse for not appearing in this action is that: \_\_\_\_\_  
I Appeared and signed a stipulation
4. My defense and answer to the complaint is that: \_\_\_\_\_  
I came to the clerk office and there is no judgment  
against me.
5. ☒ This is my first request to vacate the default in this action.  
☐ This is my \_\_\_\_\_ request to vacate the default in this action. The result of the  
prior request(s) is that \_\_\_\_\_

I respectfully request that an order be granted vacating and setting aside the default judgment entered against me in this action and dismissing the complaint or in the alternative, permitting this action to proceed on the merits and for such other and further relief as may be just and proper and pending the determination of this motion that the enforcement of said judgment be stayed.

Sworn before me this 17 day of  
February, 2015Sandra Lee  
Clerk/Notary

Andra Bibbs  
(Signature)  
267 Lincoln Ave  
(Address)  
Roswell, NY 11570  
(Phone #) 516-984-1763